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Attorney Docket No.: 23239-301C

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Ellington et al.
SERIAL NUMBER: 09/883,119 EXAMINER : Janet L. Epps-Ford, Ph.D.
FILING DATE: June 14, 2001 ART UNIT : 1635
FOR: Regulatable, Catalytically Active Nucleic Acids

MAIL STOP IDS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

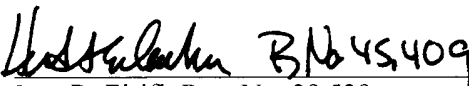
Transmitted herewith for filing in the above-referenced patent application are the following documents:

1. Supplemental Information Disclosure Statement (2 pages), in duplicate;
2. Modified Form 1449/PTO (2 pages), in duplicate;
3. Copies of cited references A1-A3, B4-B6, and C4-C34;
4. Check No. 17274 in the amount of \$180.00 to cover the filing fee; and
5. Return postcard.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at 617-542-6000, Boston, Massachusetts.

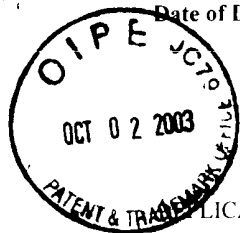
The Commissioner is authorized to charge any additional fees that may be due, or to credit any overpayment, to the undersigned's account, Deposit Account No. 50-0311 Ref. No. 23239-301C. A duplicate copy of this transmittal letter is enclosed herewith.

Respectfully submitted,

San.  B/No 45,409
Ivor R. Elrifí, Reg. No. 39,529
Attorney for Applicants
MINTZ, LEVIN, COHN, FERRIS,
GLOVSKY and POPEO, P.C.
One Financial Center
Boston, Massachusetts 02111
Tel: (617) 542-6000
Fax: (617) 542-2241

Dated: October 2, 2003

Customer Number 30623



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants hereby make of record the documents listed on the attached modified Form PTO-1449, as well as copies of the listed documents.

This Information Disclosure Statement is being filed after the mailing date of the first Office Action, but before the mailing date of either a final action under 37 C.F.R. §1.113 or a Notice of Allowance under 37C.F.R. §1.311. The fee of \$180.00 as set for in 37C.F.R. §1.17(p) is enclosed.

It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims, and signs the enclosed form PTO-1449 to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application.

By submitting this Information Disclosure Statement, the Applicants make no representation that: (1) a search has been performed, of the extent of any search performed, or that more relevant information does not exist; (2) the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); and (3) the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

APPLICANT: Ellington, et al.
U.S.S.N.: 09/883,119

Notwithstanding any statements by the Applicants, the Examiner is urged to form his/her own conclusion regarding the relevance of the cited information. An early and favorable action is hereby requested.

Please charge any additional fees that may be due, or credit any overpayment of same, to
Deposit Account No. 50-0311, Reference No.: 23239-301C.

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Respectfully submitted,

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for: Ivor R. Elrifi, Reg. No. 39,529
Attorney for Applicants
MINTZ, LEVIN, COHN, FERRIS,
GLOVSKY and POPEO, P.C.
One Financial Center
Boston, Massachusetts 02111
Tel: (617) 542-6000
Fax: (617) 542-2241

Dated: October 2, 2003

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Date of Deposit: October 2, 2003

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Modified Form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Application Number	09/883,119
Filing Date	June 14, 2001
First Named Inventor	Ellington et al.
Group Art Unit	1635
Examiner Name	Janet L. Epps-Ford, Ph.D.
Attorney Docket Number	23239-301 C

U.S. PATENT DOCUMENTS

Exam Initials	Cite No.	U.S. Patent Document No.	Issue Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date If Appropriate
	A1	5,589,332	12/31/96	Shih, et al.			05/09/94
	A2	5,834,186	11/10/98	George, et al.			06/02/95
	A3	6,201,113	03/13/01	Todd, et al.			8/11/00

FOREIGN PATENT DOCUMENTS

Exam Initials	Cite No.	Foreign Patent Document Office Number	Name of Patentee(s) or Applicant(s)	Date of Publication	Translation Yes	Translation No
	B4	WO 96/27026	Intelligene, LTD.	09/06/96		
	B5	WO 99/47704	Jenne, et al.	09/23/99		
	B6	WO 99/50277	University of Utah Research Foundation	10/07/99		

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Exam Initials	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.
	C4	Breaker (1996). Curr Opin Biotech 7: 442-448.
	C5	Breaker (1997). Nat Biotech 15: 427-431.
	C6	Breaker (1997). Chem Rev 97: 371-390.
	C7	Breaker (1999). Horizon Scientific Press, Wymondham UK: 1-19.
	C8	Breaker (1997). Curr Opin Chem Biol 1: 26-31
	C9	Breaker (2002). Curr Opin Biotech 13: 31-39.
	C10	Carmi, et al. (1996). Chem and Biol 3: 1039-1046.
	C11	Gold (2002). Nat Biotech 20: 671-672.
	C12	Hamaguchi, et al. (2001). Anal Biochem 294: 126-131.
	C13	Hartig, et al. (2002). Nat Biotech 20: 717-722.
	C14	Haseloff, et al. (1988). Nature 334: 585-591.
	C15	Jenne, et al. (2001). Nat Biotech 19: 56-61.
	C16	Koizumi, et al., (1999). Nat Struct Biol 6: 1062-1071.
	C17	Li and Breaker (1999). Curr Opin Struct Biol 9: 315-323.
	C18	Li and Breaker (1999). Proc Natl Acad Sci USA 96: 2746-2751.
	C19	Marshall and Ellington (1999). Nat Struct Bio 6 11: 992-994.
	C20	Robertson and Ellington (1999). Nat Biotech 17: 62-66.
	C21	Robertson & Ellington (2000) 3 Nucleic Acids Res 28: 1751-1759.

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Exam Initials	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.
	C22	Robertson and Ellington (2001). Nat Biotech 19: 650-655.
	C23	Seetharaman, et al. (2001). Nat Biotech 19: 336-341.
	C24	Soukup and Breaker (1999). Proc Natl Acad Sci USA 96: 3584-3589.
	C25	Soukup and Breaker (1999). RNA 5: 1308-1325.
	C26	Soukup and Breaker (1999). Structure 7: 783-791.
	C27	Soukup and Breaker (1999). Tren Biotech 17: 469-476.
	C28	Soukup and Breaker (2000). Ribo Biochem Biotech Eaton Publ: 149-170.
	C29	Tang and Breaker (1997). Chem Biol 4: 453-459.
	C30	Tang and Breaker (1998). Nuc Acids Res 26: 4214-4221.
	C31	Tang and Breaker (1997). RNA 3: 914-925.
	C32	Tuschl, et al. (1994). Science 266: 785-789.
	C33	Weeks (1997). Curr Opin Struct Biol 7: 336-342.
	C34	International Search Report for PCT/US 02/25319, mailed July 17, 2003.

* a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. _____, filed _____, and relied upon for an earlier filing date under 35 U.S.C. §120 (continuation, continuation-in-part, and divisional applications).

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered.

Include copy of this form with next communication to applicant.